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February 6, 2004

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Jonathan Levin  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463Supplement to  
AOR 2004-5

Re: Advisory Opinion Request 2004-5

Dear Mr. Levin:

This will confirm our telephone conversation of earlier today concerning your question about Advisory Opinion Request 2004-5, submitted by America Coming Together ("ACT"). You asked for an explanation of the difference between Question 3 and Question 5 in ACT's original request.

As I explained, Question 3 was intended to be a general question about the application of the Part 106 to generic voter drives, while Question 5 was designed to ask about the personal communications and materials that are distributed in connection with such a drive. Rosemary Smith's January 22 letter to ACT asked in connection with Question 3 whether the generic drives would include communications and then asked for the text or scripts of such communications. As a result, we provided them in response to her question about Question 3. The scripts, however, are equally applicable to Question 5, as we stated in our response to Ms Smith's letter.

I hope this clarifies the situation. If you need any additional information, please do not hesitate to contact me.

Very truly yours,

Judith L. Corley  
Counsel

America Coming Together

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